

**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: NOVEMBER 7, 2007**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: SDR-21982 - APPLICANT: WINGATE MARKETING GROUP**

**- OWNER: DAVID WILLDEN**

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***THIS ITEM WAS HELD IN ABEYANCE FROM THE OCTOBER 17, 2007 CITY COUNCIL MEETING AT THE REQUEST OF THE APPLICANT.***

**\*\* CONDITIONS \*\***

Staff recommends DENIAL. The Planning Commission (4-3/ld, bg, sd vote) recommends APPROVAL, subject to:

**Planning and Development**

1. Approval of and conformance to the Conditions of Approval for Special Use Permit (SUP-21979) and Variance (VAR-21980) shall be required.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 06/22/07, except as amended by conditions herein.
4. A Waiver from Title 19.12 is hereby approved to allow:
  - a. A 4.5-foot wide landscape buffer along a portion of the south perimeter where an eight-foot wide landscape buffer is required as shown on plans date stamped 6/22/07
  - b. A zero-foot wide perimeter landscape buffer along the east and west property lines where an eight-foot wide perimeter landscape buffer is required as shown on plans date stamped 6/22/07.
5. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. The technical landscape plan shall include the following changes from the conceptual landscape plan, detailed spacing of plants and type of mulch / ground cover to indicated.

6. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.
7. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).
8. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
10. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaries. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
11. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
12. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

**Public Works**

13. Coordinate with the City Surveyor to determine whether a Reversionary Map or other map is necessary; comply with the recommendations of the City Surveyor.
14. Unless otherwise allowed by the City Engineer, construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site. The connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network and shall be terminated on-site with a handicap ramp.
15. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with development of this site.

16. This site plan shall be revised to show the existing City of Las Vegas Sewer Easement along the south side of this property; no building or structures, such as the pay islands, shall be allowed to encroach upon the existing sewer easement.
17. Meet with the Flood Control Section of the Department of Public Works for assistance in determining appropriate finished floor elevations and drainage pathways required for this site prior to the issuance of any permits for this site.
18. Landscape and maintain all unimproved right-of-way on Sahara Avenue adjacent to this site. All landscaping and private improvements installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
19. Obtain an Occupancy Permit from the Nevada Department of Transportation for all landscaping and private improvements in the Sahara Avenue public right-of-way adjacent to this site.

**\*\* STAFF REPORT \*\***

**PROJECT DESCRIPTION**

This request is for a Site Development Plan Review for a proposed Car Wash, Full Service or Auto Detail with waivers to allow a 4.5 foot landscape buffer along a portion of the south property line where eight feet is required and a zero foot buffer along a portion of the east and west property lines where eight feet is required on 0.76 acres on the south side of West Sahara Avenue. Additionally a Special Use Permit (SUP-21979) for a full service car wash in a C-1 zone and a Variance (VAR-21980) to allow a zero side yard setback on the east property line for the proposed building will be heard concurrently with this Site Development Plan Review.

The applicant indicates the proposed car wash is to be a drive through and will also offer an option for “while you wait” detailing by staff. Proposed for the site is a 1,948 square foot building with an attached uncovered wash tunnel. As stated by the applicant in order to provide the required stacking aisle for automobiles the project has to be sited on the east property line in a north-south direction. The applicant is attempting to overbuild this site, the deviation is considered a self-imposed hardship, and denial of this request is recommended.

**BACKGROUND INFORMATION**

<b><i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i></b>	
01/21/2004	The City Council approved a request for a Special Use Permit (SUP-3114) for an off-premise advertising (billboard) sign located at 4545 West Sahara Avenue.
04/19/2006	The City Council denied a required Two-Year Review (RQR-11399) of an approved Special Use Permit (SUP-3114) for a 40-foot tall, 14-foot x 48-foot off-premise advertising (billboard) sign at 4545 West Sahara Avenue
07/12/07	The Planning Commission recommended approval of companion items VAr-21980 and SUP-21979 concurrently with this application.
	The Planning Commission voted 4-3/l.d. bg, sd to recommend APPROVAL (PC Agenda Item #43/lhm).
<b><i>Related Building Permits/Business Licenses</i></b>	
	There are no building permits or business licenses related to this project approved or under review.
<b><i>Pre-Application Meeting</i></b>	
03/13/2007	Discussed requirements, entitlements needed and constraints for a car wash on two narrow lots and mapping of the lots to remove the parcel lines.

<b><i>Neighborhood Meeting</i></b>	
N/A	A neighborhood meeting was not required nor was one held
<b><i>Field Check</i></b>	
05/21/2007	Undeveloped narrow lot between offices and shopping center. Residential abuts back portion of parcels. Billboard sign located on northwest corner of lot adjacent to Sahara Avenue.

<b><i>Details of Application Request</i></b>	
<b><i>Site Area</i></b>	
Net Acres	0.76

<b>Surrounding Property</b>	<b>Existing Land Use</b>	<b>Planned Land Use</b>	<b>Existing Zoning</b>
Subject Property	Undeveloped	SC(Service Commercial)	C-1 (Limited Commercial)
North	Sahara Ave / Commercial	SC(Service Commercial)	C-1 (Limited Commercial)
South	Residential	L (Low Density Residential)	R-1 (Single Family Residential)
East	Commercial	SC(Service Commercial)	C-1 (Limited Commercial)
West	Commercial	SC(Service Commercial)	C-1 (Limited Commercial)

<b><i>Special Districts/Zones</i></b>	<b><i>Yes</i></b>	<b><i>No</i></b>	<b><i>Compliance</i></b>
<b>Special Area Plan</b>		X	
<b><i>Special Districts/Zones</i></b>	<b><i>Yes</i></b>	<b><i>No</i></b>	<b><i>Compliance</i></b>
<b>Special Purpose and Overlay Districts</b>		X	
<b>Trails</b>		X	N/A
<b>Rural Preservation Overlay District</b>		X	N/A
<b>Development Impact Notification Assessment</b>		X	N/A
<b>Project of Regional Significance</b>		X	N/A

## DEVELOPMENT STANDARDS

Pursuant to Title 19.08, the following Development Standards apply to the subject proposal:

<b><i>Standard</i></b>	<b><i>Required/Allowed</i></b>	<b><i>Provided</i></b>	<b><i>Compliance</i></b>
Min. Lot Size	N/A		Y or N
Min. Lot Width	100 Feet	104 Feet	Y or N
Min. Setbacks <ul style="list-style-type: none"> <li>• Front</li> <li>• Side</li> <li>• Corner</li> <li>• Rear</li> </ul>	20 Feet 10 Feet  15 Feet 20 Feet	143 Feet *East 0' West 50' N/A 90 Feet	Y N Y N/A Y
Max. Lot Coverage	50%	5.8%	Y
Max. Building Height	N/A	20	Y
Trash Enclosure	50 feet from residential	85 Feet	Y

\*If approved, a companion Variance (VAR-21980) would allow a side setback of 0 feet, where 10 feet would be required.

### ***Pursuant to Title 19.08.060***

<b><i>Residential Adjacency Standards</i></b>	<b><i>Required/Allowed</i></b>	<b><i>Provided</i></b>	<b><i>Compliance</i></b>
Trash Enclosure	50 Feet	85 Feet	Y

### ***Pursuant to Title 19.12***

<b><i>Landscaping and Open Space Standards</i></b>				
<b><i>Standards</i></b>	<b><i>Required</i></b>		<b><i>Provided</i></b>	<b><i>Compliance</i></b>
	<b><i>Ratio</i></b>	<b><i>Trees</i></b>		
Parking Area	1 Tree / 6 Spaces	3	5	N
Buffer: Min. Trees	1 Tree / 30 Linear Feet	1 Tree / 10 Linear Feet	30	Y
<b>TOTAL</b>				N
Min. Zone Width	15 Feet – ROW 8 Feet – Interior Lot Lines		15-ROW 8 Feet on South Lot Line	N (no LS on east or west side of building)
Wall Height	N/A		Existing	

*Pursuant to Title 19.10, the following parking standards apply:*

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Car Wash	1,948 sf	1/150 gfa	12	1	12	1	Y
SubTotal			12	1	12	1	Y
TOTAL (including handicap)			12	1	12	1	Y
Loading Spaces			1				Y

<b>Waivers</b>		
<b>Request</b>	<b>Requirement</b>	<b>Staff Recommendation</b>
4.5 foot wide landscape buffer on south property line	8 foot wide landscape buffer	Denial
Zero foot landscape buffer along portions of east and west property lines	8 foot wide landscape buffer	Denial

## ANALYSIS

### Zoning

The subject property is located in the Southeast Sector of the General Plan and has a land use designation of SC (Service Commercial). This designation allows low to medium intensity retail, office, or other commercial uses that serve primarily local area patrons and that do not include more intense general commercial characteristics. C-1 (limited Commercial) zoning is compatible with the land use designation.

The project is a request to allow a Car Wash, Full Service or Auto Detailing, on two parcels located on West Sahara Avenue. The subject parcels are undeveloped commercial lots, flanked on the east and west by an office and retail uses. Residentially zoned properties abut the south perimeter. A billboard sign currently exists on the lot fronting Sahara Avenue and was required to be removed within 30 days as directed by a City Council review in April 2006.

Proposed for the site is a 1,948 s.f. building and an attached 1,800 s.f. open (no roof) wash tunnel to be built to the side property line. A companion Variance (VAR-21980) will be heard to allow a zero side yard setback. Cars will access the site via a 32-foot wide driveway from Sahara Avenue and proceed to the rear of the site by a drive aisle adjacent to the west property line. Pay stations and entrance to the car wash are shown on the site plan at the back of the parcel. Entry to the car wash is in the southeast corner, and exiting on the northeast corner. Upon completion of the car wash in the tunnel, cars may immediately exit to Sahara Avenue or may move to the left under a tensile tent cover for hand detailing and drying.

Parking for the 1,948 s.f. building meets the parking requirements at 13 spaces including a handicap space at the entrance to the store. A 15 foot by 25 foot loading space is provided on the south side of the building. Business hours for the car wash were not indicated in the Justification Letter.

### **Waivers**

Waivers are being requested for the reduction of the eight foot perimeter landscape buffers. Landscape areas are not being provided on the east and west sides of the parcel, a narrow planter is provided at the rear property line. Given the narrowness of the site the entire width of the parcels were needed to provide the 24' drive aisle for circulation around the site.

### **Landscape Plan**

Plant material shown on the site plan is acceptable for the desert environment. The amount and types of landscaping comply with the standards of the zoning code and are compatible with existing development in the area. Landscape planters on both sides of the 32-foot wide entrance drive are densely planted with Mondel Pines and two types of shrubs. A landscape planter at the rear of the property is approximately four and one-half wide and will be planted with a large evergreen shrub, Grecian Laurel, which can grow at a moderate rate to 15 to 30 tall, with equal spread. Spacing of the plants is shown at every ten feet.

### **Elevation/Floor Plan**

The elevations and floor plans of the proposed buildings are typical for commercial development. Elevations of the proposed structure indicate a combination of smooth and split face red sandstone CMU. The face of the proposed building will be accented with cultured stone.



## FINDINGS

In order to approve a Site Development Plan application, per Title 19.18.050 the Planning Commission and/or City Council must affirm the following:

1. **The proposed development is compatible with adjacent development and development in the area;**

The proposed Car Wash, Full Service or Auto Detailing use is in close proximity to residential properties and is not compatible with development within the surrounding area.

2. **The proposed development is consistent with the General Plan, this Title, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted city plans, policies and standards;**

A Variance from development standards and landscape reductions are required, thus rendering the project incompatible with applicable plans and documents.

3. **Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;**

The site is accessed from Sahara Avenue, which is designated on the Master Plan of Streets and Highways as a Primary (100-foot) Arterial. The roadway should not be adversely impacted by this development.

4. **Building and landscape materials are appropriate for the area and for the City;**

The proposed building and landscape materials are appropriate, but insufficient as landscaping is not being provided along the east and west boundaries of the site.

5. **Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable, or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;**

The proposal is not harmonious or compatible with development in the surrounding area. The lack of landscaping to buffer the east and west sides of the car wash will not create an aesthetically pleasing addition to the area.

6. **Appropriate measures are taken to secure and protect the public health, safety and general welfare.**

The development will be subject to inspections, and appropriate measures will be taken to protect the public health, safety and general welfare.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 11

**ASSEMBLY DISTRICT** 42

**SENATE DISTRICT** 11

**NOTICES MAILED** 133 by Planning Department

**APPROVALS** 0

**PROTESTS** 2